

ORDINANCE NO. 2141

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE GARDNER, KANSAS, ZONING ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas, Zoning Ordinance, the zoning classification or districts of the lands legally described hereby are changed as follows:

The following described property shall hereafter have a zoning classification of CP-2 "Planned General Business District", subject to the following stipulations:

- a. The development shall be in accordance with Exhibit "A" (Preliminary Development Plan) and Exhibit "B" (Building Elevations) which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. In addition, the development shall comply with all regulations and standards of the City of Gardner unless specifically exempted by the Governing Body.
- b. The location and geometrics of all driveways, public streets, and parking areas are subject to review and approval by Community Development Department staff.
- c. The easternmost access to 183rd Street shall be removed from the plan.
- d. Prior to the issuance of building permits, the Planning Commission shall approve a final development plan for this subject property.

CASE NO. Z-04-14

Rezoning C-2, General Business District, and A, Agricultural District, to CP-2, Planned General Business District

Legal Description: All that part of the Northwest Quarter of Section 36, Township 14, Range 22, now in the City of Gardner, Johnson County, Kansas, lying Northwesterly of that part platted as Evergreen Park, and West of that part platted as Aspen Creek II, except that part in roads. And except all that part of the Northwest Quarter of Section 36, Township 14, Range 22, now in the City of Gardner, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the northwest Quarter of said Section 36; thence South 89 degrees, 54 minutes 40 seconds East, along the North line of the northwest Quarter of said Section 36, a distance of 572.01 feet; thence south 0 degrees 42 minutes 41 seconds East, a distance of 378.91 feet; thence South 88 degrees 53 minutes 01 seconds West, a distance of 127.60 feet; thence south 35 degrees 49 minutes 50 seconds West, a distance of 287.53 feet; thence North 54 degrees 10 minutes 10 seconds West, a distance of 265.31 feet; thence North 89 degrees 54 minutes 40 seconds West, a distance of 60.01 feet, to a point on the West line of the Northwest quarter of said Section 36; thence North 0 degrees 42 minutes 41 seconds West, along the West line of the Northwest quarter of said Section 36, a distance of 460.00 feet, to the point of beginning. Including all that part of

the Northwest Quarter of Section 36, Township 14, Range 22, now in the City of Gardner, Johnson County, Kansas, described as follows: Beginning at the Northwest corner of the Northwest Quarter of said Section 36; thence South 89 degrees 54 minutes 40 seconds East, along the North line of the Northwest Quarter of said Section 36, a distance of 572.01 feet; thence South 0 degrees 42 minutes 41 seconds East, a distance of 378.91 feet; thence South 88 degrees 53 minutes 01 seconds West, a distance of 127.60 feet; thence South 35 degrees 49 minutes 50 seconds West, a distance of 287.53 feet; thence North 54 degrees 10 minutes 10 seconds West, a distance of 265.31 feet; thence North 89 degrees 54 minutes 40 seconds West, a distance of 60.01 feet, to a point on the West line of the northwest Quarter of said Section 36; thence North 0 degrees 42 minutes 41 seconds West, along the West line of the northwest Quarter of said Section 36, a distance of 460.00 feet to the point of beginning, except that part in roads.

SECTION TWO: That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Zoning Ordinance as amended.

SECTION THREE: That this Ordinance shall take effect and be in force from and after its adoption by the City Council and publication in the official City Newspaper.

PASSED and APPROVED this 21st day of February, 2005.

ATTEST:

Carol Lehman, Mayor

Gwen Scott, City Clerk

(SEAL)